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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TREVOR MOSS,

Plaintiff,

v.

TIBERON MINERALS LTD.,

Defendant.

Case No.: C 07-2732- SC

**STIPULATION AND [PROPOSED]
ORDER REGARDING HEARING DATE
AND FURTHER BRIEFING ON
PLAINTIFF'S RULE 59(e) AND 60(b)
MOTIONS**

Hearing Date: February 8, 2008
Time: 10:00 a.m.
Location: Courtroom 1, 17th Floor
Judge: Hon. Samuel Conti

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1 In accordance with Local Rule 6-1, the parties stipulate that the hearing date on plaintiff's
 2 pending motions under Federal Rules of Civil Procedure, Rules 59 and 60 shall be continued one
 3 week to February 15, 2008 and that the time for plaintiff to reply to defendant's opposition is
 4 extended one week to January 25, 2008. To accommodate defendant's counsel's schedule, the
 5 parties previously stipulated to continue the hearing date on plaintiff's motions by one week to
 6 February 1, 2008 and to extend the time to file opposition and reply to opposition by one week.
 7 The Court ordered that the hearing date on plaintiff's motions be continued to February 8, 2008
 8 rather than February 1, 2008.

9 As noted in plaintiff's counsel's declaration attached as Exhibit "A", the present
 10 continuance of the hearing date is sought to accommodate plaintiff's counsel's plans to attend his
 11 mother's 93rd birthday in southern California on February 8, 2008, and the extension of time for
 12 plaintiff to reply to defendant's opposition is sought so as to allow plaintiff's counsel to obtain
 13 information from plaintiff as well as plaintiff's business attorney, who is currently out of the
 14 country.

15
 16 Dated: January 15, 2008

CRAIGIE, McCARTHY & CLOW

17
 18 /s/ James M. Hanavan
 19 By: James M. Hanavan
 20 Attorneys for Plaintiff Trevor Moss

21 Dated: January 15, 2008

MBV LAW LLP

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 23 /s/ David J. Brown
 24 By: David J. Brown
 25 Attorneys for Defendant Tiberon Minerals Ltd.
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ORDER

IT IS ORDERED that the hearing date on plaintiff's Motion to Alter Judgment Pursuant to FRCP 59(e) and Motion for Relief from Judgment Dismissing for *Forum Non-Conveniens* Pursuant to FRCP 60(b) is continued to February 15, 2008 at 10:00 a.m., and that the time for plaintiff to reply to defendant's opposition is extended one week to January 25, 2008.

Dated: January ____, 2008

The Honorable Samuel Conti
United States District Court Judge

EXHIBIT "A"

**DECLARATION OF JAMES M. HANAVAN STIPULATION AND [PROPOSED]
ORDER REGARDING HEARING DATE AND FURTHER BRIEFING ON
PLAINTIFF'S RULE 59(e) AND 60(b) MOTIONS**

I, James M. Hanavan, declare:

1. I am an attorney at law duly admitted to practice before all the courts of the State of California. I am affiliated with the law firm of Craigie, McCarthy & Clow, attorneys of record for plaintiff Trevor Moss.

2. To accommodate defendant's counsel's schedule, the parties previously stipulated to continue the hearing date on plaintiff's motions by one week to February 1, 2008 and to extend the time to file opposition and reply to opposition by one week. The Court ordered that the hearing date on plaintiff's motions be continued to February 8, 2008 rather than February 1, 2008.

3. My mother's 93rd birthday is on February 8, 2008. I had made plans to attend her birthday in southern California on that date. To allow me to honor those plans, declarant seeks a one-week continuance of the hearing date to February 15, 2008.

4. Further, declarant seeks a one-week extension of time for plaintiff to reply to defendant's opposition so as to allow declarant to obtain information from plaintiff as well as plaintiff's business attorney, who is currently out of the country.